

FILED

SEP 28 2005

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

No. C 05-0623 MHP
**ORDER OF
DISMISSAL**


HAYA MIZRACHI,
Plaintiff,
vs.
DAVID SHIELD et al,
Defendants.

This matter came on before this court for a Case Management Conference ("CMC") on September 26, 2005, having been noticed by the Clerk of the Court for that date at 4:00PM, the notice having been duly filed and served on August 4, 2005. Plaintiff failed to respond to the call of the calendar and failed to comply with the order that he file a Joint Case Management Statement at least 10 days prior to the CMC. A review of the docket sheet reveals that plaintiff has failed to serve the defendants with the complaint or, at least, has not filed proof of service.

IT IS HEREBY ORDERED the complaint in this action is DISMISSED for lack of prosecution and for failure to obey a court order.

Date:

Sept 26, 2005


MARILYN HAM PATEL
District Judge
United States District Court
Northern District of California